



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,803	01/10/2001	Tim Schnell	911.009US1	7353

21186 7590 07/30/2003

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. BOX 2938  
MINNEAPOLIS, MN 55402

EXAMINER

BLACKMAN, ROCHELLE ANN J

ART UNIT PAPER NUMBER

2851

DATE MAILED: 07/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/757,803

Applicant(s)

SCHNELL, TIM

Examiner

Rochelle Blackman

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on amendment filed 05/09/03.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 2-8, 10-25 and 27-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-8, 10-12, 17-25, 27, 29 and 31 is/are allowed.
- 6) ☒ Claim(s) 13-16, 28, 30 and 32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Arguments*

Applicant's arguments with respect to claims 2-8, 10-25, and 27-32 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13-16 and 28, 30, and 32 rejected under 35 U.S.C. 103(a) as being unpatentable over Somner et al., U.S. Patent No. 5,819,124 in view of Park et al., U.S. Patent No. 5,155,474.

1. Regarding claims 13-16, Somner discloses the claimed invention, as set forth in the previous office action, except for a "light attached to the housing for indicating a low power supply".

Park teaches it would be advantageous to incorporate an audio or visual signal to indicate dead batteries (see col. 6, lines 44-47).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the "motion detector camera" of the Somner reference with a visual indicator to indicate dead or even low batteries, as taught by Park in order

Art Unit: 2851

to change the batteries in the motion detector when needed and to facilitate the use of the motion detector camera.

2. Regarding claim 28, Somner discloses the claimed invention, as set forth in the previous office action, except for "causing a test light to blink when the motion detector is triggered but not causing the camera to expose any film".

Park teaches it would be advantageous to incorporate an audio or visual signal to indicate arming ready for operation in the circuitry of photographic security system.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the "motion detector camera" of the Somner reference with a visual indicator to indicate arming ready for operation in the circuitry of the motion detector or any other circuitry of the motion detector camera, as taught by Park in order to facilitate the use of the motion detector camera.

3. Regarding claim 30, Somner discloses the claimed invention, as set forth in the previous office action according to the claims that appear rejected in the previous office action under Somner whose limitations are similar to limitations of new claim 30, except for a "test light attached to the housing, wherein when the controller is put into a testing state the controller causes the test light to blink when the motion detector is triggered but the controller does not cause the camera to take a picture".

Park teaches it would be advantageous to incorporate an audio or visual signal to indicate arming ready for operation in the circuitry of photographic security system.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the "motion detector camera" of the Somner reference

with a visual indicator to indicate arming ready for operation in the circuitry of the motion detector or any other circuitry of the motion detector camera, as taught by Park in order to facilitate the use of the motion detector camera.

4. Regarding claim 32, Somner discloses the claimed invention, as set forth in the previous office action according to the claims that appear rejected in the previous office action under Somner whose limitations are similar to limitations of new claim 32, except for a "light attached to the housing for indicating a low power supply".

Park teaches it would be advantageous to incorporate an audio or visual signal to indicate dead batteries (see col. 6, lines 44-47).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the "motion detector camera" of the Somner reference with a visual indicator to indicate dead or even low batteries, as taught by Park in order to change the batteries in the motion detector when needed and to facilitate the use of the motion detector camera.

#### ***Allowable Subject Matter***

Claims 4-8, 10-12, 17-25, 27, and 29 have been allowed with the reasons set forth in the previous office action.

Claim 31 has been found allowable because the prior art of record does not disclose the limitation, "the controller ignores any triggering events signals received from the motion detector until a predetermined amount of time has elapsed" in combination with the other limitations of claim 31.

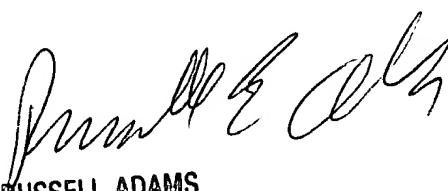
**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rochelle Blackman whose telephone number is (703) 308-2879. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russell Adams can be reached on (703) 308-2847. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

RB  
July 20, 2003

  
RUSSELL ADAMS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800